

**REMARKS**

This Amendment is filed in response to the final Office action mailed February 23, 2005. All objections and rejections are respectfully traversed. Reconsideration of the application, as amended, is respectfully requested.

Claims 1-3 and 5-20 are pending.

Claim 11 was amended to better claim the invention.

No claims were added.

At paragraph 4 in the Office action, claim 11 was objected to due to an informality unrelated to patentability. In response, the Applicants have replaced the term “is” with “are,” as suggested by the Examiner. Accordingly, the Applicants submit that the objection to claim 11 should be removed.

**Prior art rejections**

At paragraph 5 in the Office action, claims 1-3, 5-10, 12-13 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,628,661 to Goldman et al. (hereinafter “Goldman”).

At paragraph 6 in the Office action, claims 14-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman in view of U.S. Patent No. 5,450,486 to Maas et al. (hereinafter “Maas”).

The present invention, as set forth in representative claim 1, comprises in part:

1. (Original) A layer 2 switch, comprising:

a plurality of ports, at least one port of said plurality of ports capable of being set to a status of root guard protected (RG status);

***first circuits for running the spanning tree protocol (STP) in said layer 2 switch, said STP capable of selecting said at least one port as either a designated port or as a root port;***

second circuits for running root guard protocol, and said root guard protocol determining whether or not a port set to RG status has been selected by STP as a root port; and,

***blocking circuits to set said at least one port into blocked status, said blocking circuits setting said at least one port into blocked status in response to said at least one port being both in root guard protected status and selected by STP as a root port.***

In the non-final Office action mailed March 25, 2004, the Examiner equated the Applicants' claimed root guard protected (RG) status with Goldman's non-zero distance-to-core values. In their response dated June 23, 2004, the Applicants urged that the claimed RG status is a port-level status assigned on a per-port basis, whereas the non-zero distance-to-core values in Goldman are switch-level values assigned on a per-switch basis. Accordingly, the Applicants argued that the switch-level distance-to-core values in Goldman cannot anticipate or render obvious the claimed port-level RG status.

The Examiner has modified his rejections in the final Office action to address the Applicants' arguments. In particular, the Examiner states:

This non-zero distance-to-core value [in Goldman] is interpreted as the root guard status recited in claim 1. *When non-zero priority values are assigned to a switch to indicate the switch obtains a root guard protected status, all the ports that are associated with that switch will also considered to have root guard protected status* because a switch transmits and receives data via its ports. As a

result, having a switch that has root guard protected status will teach/suggest that all the ports will have root guard protected status, which reads on the limitation “at least one port of said plurality of ports capable of being set to a status of root guard protected” as recited in claim 1.

Final Office action, “Response to Arguments” section at page 13 (emphasis added). *See also* final Office action at pages 8 and 11.

Thus, the pending rejections suggest that when a switch in Goldman has a non-zero distance-to-core value, the switch obtains a root guard protected status, and thus all of the switch’s ports also necessarily must obtain a root guard protected status.

Goldman teaches “a network switch residing within a computer network includes a root port in a forwarding state.” *See* Col. 4, lines 13-16. Assume, as the Examiner suggests, that every port in Goldman’s network switch is root guard protected. Thus, under this assumption, Goldman’s “root port in a forwarding state” must be root guard protected.

Applicants’ claim 1 explicitly recites setting said at least one port into blocked status in response to said at least one port being both in root guard protected status and selected by STP as a root port. This claim recitation is in sharp contrast with the Examiner’s interpretation of Goldman. Specifically, as noted above, Goldman requires a root port to be both in a forwarding state and root guard protected. However, the claimed invention explicitly teaches blocking a root port that is root guard protected. In other words, Goldman teaches a root port that is in a forwarding state even though it is root guard protected, whereas the Applicants’ claim 1 explicitly recites blocking such a port.

The Applicants respectfully urge that a switch having all of its ports set to root guard protected status, as allegedly taught in Goldman, would essentially disconnect the switch from its computer network since the spanning tree protocol would set every possible root port to a blocked state. Indeed, if every switch port is set to RG status, then every time STP attempts to select a root port in accordance with Applicants' claim 1, the selected port would be determined to be RG protected and therefore would be set to a blocked state. In this manner, STP would successively block every port it attempts to select as a root port, until every possible root port is set to a blocked state, thereby essentially disconnecting the switch from the network's spanning tree.

Maas does not remedy the above-noted deficiencies in Goldman, and appears to be relied on solely for the purpose of disclosing a line card comprising a processor and a memory. *See* final Office action at page 12.

Based on the foregoing, the Applicants respectfully submit that independent claim 1, in its present form, is allowable over the cited art since neither Goldman or Maas, whether taken singly or in combination, anticipates or rendered obvious the Applicants' claimed *setting said at least one port into blocked status in response to said at least one port being both in root guard protected status and selected by STP as a root port*. Because claims 2-3, 5-19 comprise the same or similar patentable subject matter as independent claim 1, Applicants respectfully submit that these claims are also allowable for at least the same reasons.

At paragraph 8 in the final Office action, claim 20 was allowed.

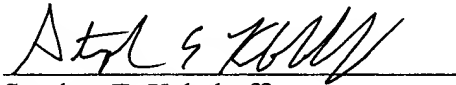
All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims, and therefore in condition for allowance.

Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,



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